

If calling please ask for: Licensing Team
Ext 2267
E-mail
licensing@chichester.gov.uk

Our ref: GA07A

Your ref:

Dear Sir or Madam

Gambling Act 2005 – Schedule 11, Part 5 Enquiry - Registration as a Non-Commercial Society

Thank you for the recent enquiry to register as a non-commercial society in order to operate small society lotteries. The definition of a small society lottery falls into two distinct areas:

- (a) *Society status* – the society in question must be ‘non-commercial’. It must either be established and conducted for (i) charitable purposes (ii) for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity or (iii) for any other non-commercial purpose other than that of private gain. It is inherent in this definition that the society must have been established for one of the permitted purposes, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries, it must have some other purpose.
- (b) *Lottery size* – the total value of tickets to be put on sale per single lottery must be £20,000.00 or less, or the aggregate value of tickets to be put on sale for all the lotteries in a calendar year must not exceed £250,000.00. If these amounts are likely to be exceeded, the society will need to register with the Gambling Commission (see www.gamblingcommission.gov.uk). In addition no single prize in a lottery may be worth more than £25,000.00 and at least 20% of the proceeds of a lottery must be applied to the purposes of the society.

It is a requirement that a society **must** apply for registration to the Licensing Authority for the area in which the ‘principal premises’ of the society are situated i.e. the main or head office of the society.

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Please find enclosed the appropriate application form to register and please refer to the statutory guidance notes at the end of the form. Please provide as much information as possible when completing question 4 regarding the purposes for which the society is established and conducted. Please do not simply state for example 'charitable purposes', but provide a full explanation. For example, *'to support the on-going funding of the community village hall and to provide facilities for local community groups including the local football club and amateur dramatics society to meet'*. This information is essential so that this Licensing Authority can be completely satisfied that the society seeking registration is a bona-fide non-commercial society.

It is also necessary to complete and submit the enclosed 'Disclosure of convictions and declaration form' along with, if such documents exist, a copy of the society's current terms and conditions or constitution.

The application costs £40.00 and should be paid by card via our Customer Services Team when visiting the council offices or by telephone on 01243 534740.

Please note that this Licensing Authority shall refuse an application for registration if:

- (a) An operating licence held by the applicant for registration has been revoked under Section 119(1) of the Gambling Act 2005; or
- (b) An application for an Operating Licence made by the applicant for registration has been refused.

In addition the Licensing Authority may refuse an application if:

- (a) It thinks that the applicant is not a non-commercial society; or
- (b) A person who will or may be connected with the promotion of the lottery has been convicted of a 'relevant offence' (these are contained within Schedule 7, Part 1 of the Gambling Act 2005); or
- (c) Information provided in or with the application for registration is false or misleading.

If the application is successful, the registration lasts indefinitely, unless revoked or cancelled. However, the society would be required to pay an annual fee of £20.00 to ensure continuation of registration. This fee would be payable within two months of the date of the anniversary of the grant of the registration.

Please do not hesitate to contact us should you wish to discuss any aspect of the application prior to its formal submission.

Yours faithfully

Licensing Team
Housing & Environment Services